



BOARD OF SUPERVISORS MEETING
MONDAY, MAY 17, 2021
6:30 PM

[Susan M. Adams](#), County Administrator

Board of Supervisors Meeting Room

Carver-Price Education Complex

171 Price Lane, Appomattox, VA 24522
www.AppomattoxCountyVA.gov

BOARD OF SUPERVISORS

Call to Order - Chairman Carter
Pledge of Allegiance
Invocation - Mr. Abbitt
Setting of Agenda

CITIZEN PUBLIC COMMENT PERIOD

This time is provided by the Board to allow citizens the opportunity to address the Board on issues of importance to the citizen. No individual citizen shall be permitted to address the Board for more than three (3) minutes.

APPEARANCES

These scheduled times are provided by the Board to allow citizens and organizations outside the County Government to discuss matters of importance with the Board.

1. [21-1985](#) **Ms. Jan Walker, Executive Director - Lynchburg Humane Society**
Ms. Jan Walker, Executive Director of the Lynchburg Humane Society, has requested to appear before the Board to provide an update on contractual services that LHS currently provides to Appomattox County and discuss future options for contractual services.

Department: Board of Supervisors, Administration
Documents: [Lynchburg Humane Society.pdf](#)
2. [21-1978](#) **Carver-Price Legacy Museum**
Ms. Annie Trent with the Carver-Price Legacy Museum has requested to appear before the Board to introduce their 3 new Board members, (Stewart Jones, Stanley Cobbs and Maliki Fleshman).

Department: Board of Supervisors, Administration
3. [21-1994](#) **Mrs. Ashley Sandman, CSA Coordinator**
Mrs. Ashley Sandman, CSA Coordinator has requested to appear before the Board to provide an update on the Children's Services Act program and associated current year expenses. Due to the increased services and expenses, an appropriation of local funds will be requested to amend the FY 21 budget.
STAFF RECOMMENDATION: Consider an appropriation of local funds to support the current year increase of CSA Program expenses. Ms. Sandman will present this information in her report.

Department: Board of Supervisors, Administration

4. [21-1988](#)

Mrs. Anne Dixon, Parks & Recreation Director

Mrs. Anne Dixon, Tourism, Parks & Rec Director, has requested to appear before the Board to request the Board's consideration to add lighting to another ballfield at the Appomattox Community Park.

STAFF RECOMMENDATION: Consider Ms. Dixon's request to add lighting to another ball field at the Appomattox Community Park. If approved, the Board should also include approval to appropriate the amount of local funding per Ms. Dixon's request. (see attached quote)

Department: Board of Supervisors, Administration

Documents: [Quote for Sports Lighting.pdf](#)

5. [21-2002](#)

Mrs. Diana Harvey, Library Director

Mrs. Diana Harvey, Library Director, has requested to appear before the Board to provide an update on the Library's current budget and to request the Board's consideration to amend the current FY 21 with an appropriation of additional local funds.

Department: Board of Supervisors, Administration

6. [21-1991](#)

Ms. Patricia Morton, Registrar

Ms. Patricia Morton, Registrar has requested to appear before the Board to request a waiver for split precincts, to comply with a new election law under the provisions of §24.2-307, effective July 1, 2021.

Effective July 1, 2021 under the provisions of §24.2-307, localities are required to comply with the following:

Each precinct shall be wholly contained within a single congressional district, Senate district, House of Delegates district, and election district used for the election of one or more members of the governing body or school board for the county or city. In each year ending in one, the governing body of each county and city shall establish the precinct boundaries to be consistent with any congressional district, Senate district, House of Delegates district, and local election district that was adopted by the appropriate authority by June 15 of that year. If congressional districts, Senate districts, House of Delegates districts, or local election districts have not been adopted by the appropriate authority by June 15 of a year ending in one, the governing body may use the congressional districts, Senate districts, House of Delegates districts, or local election districts as such districts existed on June 15 of that year as the basis for establishing the precinct boundaries to be used for the elections to be held in November of that year. Such governing body shall establish precinct boundaries to be consistent with any subsequent changes to the congressional districts,

Senate districts, House of Delegates districts, or local election districts. If a governing body is unable to establish a precinct with the minimum number of registered voters without splitting the precinct between two or more congressional districts, Senate districts, House of Delegates districts, or local election districts, it shall apply to the State Board for a waiver to administer a split precinct. The State Board may grant the waiver or direct the governing body to establish a precinct with fewer than the minimum number of registered voters as permitted by § [24.2-309](#). A governing body granted a waiver to administer a split precinct or directed to establish a precinct with fewer than the minimum number of registered voters may use such a precinct for any election held that year.

Given the delay in Redistricting activities due to delayed Census data, the state will be granting waivers for the curing of the split precincts, as detailed above.

Under the provisions of §24.2-307, Appomattox County has the following split precincts in need of waivers for the Town of Pamplin and the Town of Appomattox.

STAFF RECOMMENDATION: Consider approval of the Registrar's, Patricia Morton, request for a waiver for split precincts, to comply with a new election law under the provisions of §24.2-307, effective July 1, 2021.

7. [21-2003](#) Department: Board of Supervisors, Administration
Mr. Jeff Shepherd, Maintenance
At a previous meeting, the Board requested that Mr. Bobby Wingfield and Mr. Jeff Shepherd research the reported generator issues at the Sheriff's Department and at the Court House to determine repair, replacement and/or purchase. Mr. Shepherd has prepared a presentation to address the findings and offer resolution for future planning.

Department: Board of Supervisors, Administration

PUBLIC HEARING (7:00 PM)

8. [21-1989](#) **Public Hearing RZ210144_Viper Investments, LLC**
Viper Investments, LLC (property owner), has requested to rezone property from R-1, Low-Density Residential Zoning District to B-1, General Commercial Zoning District. The property is located on the north side of Richmond Highway in the Spout Spring community. The parcel totals 3.03 acres and is identified as Tax Map Identification Number 60 (A) 96. The 2016 Comprehensive Plan designates the future land use of the property as Commercial. The Planning Commission held a public hearing in April and received no comments. Following

the public hearing the Planning Commission forwarded a recommendation to rezone the property as requested. (6-0 vote, Conner abstained)

Department: Board of Supervisors, Administration

Documents: [RZ210144 Packet BoS.pdf](#)

9. [21-1990](#)

Consideration-RZ210144-Viper Investments, LLC

Following a public hearing and receiving comments, if any, staff has prepared an ordinance, in accordance with the Planning Commission's recommendation, for your consideration. The Planning Commission recommended approval of the petition to rezone the property from R-1, Low-Density Residential Zoning District to B-1, General Commercial Zoning District.

Department: Board of Supervisors, Administration

Documents: [RZ210144 BOS Aprvl Ordinance.pdf](#)

ACTION ITEMS

10. [21-1998](#)

School Appropriation Request

Attached for the Board's review is a letter from Dr. Bennett, Superintendent, requesting the Board's consideration to re-appropriate **\$52,919.06** to the School Capital Improvement Fund. ***The reimbursement was received from Lynchburg City Schools for over payment of Laurel School Program tuition from the 2019-2020 school year.***

STAFF RECOMMENDATION: Consider Dr. Bennett's request for an appropriation of \$52,919.06 to the School Capital Improvement Fund for funds reimbursed to the School for over payment of FY 2019-2020 Laurel School Program tuition.

Department: Board of Supervisors, Administration

Documents: [School Appropriation Request.pdf](#)

11. [21-1986](#)

FY 2022 Budget Approval

After being duly advertised, a Public Hearing was held on Monday, April 29, 2021 to receive public comment on the "Proposed" FY 2022 Consolidated (County, School and Social Services) Budgets. No comments were received.

STAFF RECOMMENDATION: Adopt the "proposed" FY22 Consolidated Budget as duly advertised and revised at the May 17, 2021 Work Session of the Board in the amount of \$43,850,902.

Department: Board of Supervisors, Administration

12. [21-2007](#)

FY 2022 Tax Levy Resolution

After being duly advertised, a Public Hearing was held on Monday, April 19, 2021, to receive public comment on the "proposed" FY 22 Budget and Tax Levies. The Board did not propose an increase in the FY 22 Tax Levy.

STAFF RECOMMENDATION: Adopt the FY22 Tax Levy Resolution, as advertised.

Department: Board of Supervisors, Administration
Documents: [Resolution Adopting FY 2022 Tax Levies.pdf](#)

13. [21-1971](#)

Resolution for Personal Property Tax Relief Program

In accordance with the requirements set forth in the Code of Virginia for the Personal Property Tax Relief Program, qualifying vehicles situated within the County commencing January 1, 2012 shall receive personal property tax relief. The 2021 PPTR rate is 26.50% for personal use vehicles valued at \$1,000 to \$20,000.

STAFF RECOMMENDATION: Adopt the 2021 Personal Property Tax Relief Program Resolution per recommendation of the Commissioner of the Revenue.

Department: Board of Supervisors, Administration
Documents: [PPTRA Resolution.pdf](#)

14. [21-2000](#)

Special Permit Event Application Request

Attached for the Board's review is a Special Permit Event Application from Michael P. Thomas for a "Fox Hound Showdown" on June 12, 2021. This is a 5K obstacle course race which will consist of 15-20 obstacles. The event will be held at the Hollywood Fox Preserve located at 5475 Hollywood Rd, Appomattox, VA. The application has been reviewed and approved by the Public Safety Director, Building Official, Sheriff, Zoning Administrator and County Administrator.

STAFF RECOMMENDATION: Please review, discuss and approve the Special Event Permit request from Mr. Thomas, as presented to include the bond fee waiver.

Department: Board of Supervisors, Administration
Documents: [Special Event Permit App-Fox Hound Showdown.pdf](#)

15. [21-2005](#)

Special Permit Event Application Request

Attached for the Board's review is a Special Permit Event Application from Francisco Display Fireworks, LLC for the "Appomattox 4th of July Celebration" display on Saturday, July 3rd at 9:30 p.m. The event is sponsored by the Town and will be located at 10063 Red House Road, Appomattox, VA. The Town has requested that the \$25.00 permit fee be waived. The application has been reviewed and approved by the Public Safety Director, Building Official, Sheriff, Zoning Administrator and County Administrator.

STAFF RECOMMENDATION: Consider approval of the Special Event Permit request from Francisco Display Fireworks and the Town of Appomattox as presented to include the bond fee waiver.

Department: Board of Supervisors, Administration
Documents: [Special Event Permit App-Fireworks.pdf](#)

16. [21-1992](#) **Schedule Public Hearing_Amendment to Comprehensive Plan Growth Management Section**

Please authorize staff to schedule and advertise a Public Hearing for Monday, June 21, 2021 at 7:00 pm to receive comments on a proposed amendment to the Growth Management section of the Comprehensive Plan. The Planning Commission received a request to amend the Future Land Use Map in order for a citizen to develop their property for use as a utility scale solar farm. Currently, a portion of the property in question is in an area designated as a "Rural Transition Area". The request is to amend the designation in this area to a "Commercial Area", matching the designation for the front portion that adjoins Richmond Highway. Per Section 15.2-2232 of the Code of Virginia, utility scale solar projects must be reviewed by the Planning Commission and found to be in substantial accord with the localities Comprehensive Plan. Without this change, the proposed project would not meet this standard. The Planning Commission met in April and voted 4-3 (Almond, Conner, Trent dissenting) to recommend approval of the amendment to change the Future Land Use Map in the Growth Management section of the Comprehensive Plan, as requested. Last month, the request was tabled in order for more information to be provided. A summary of the Planning Commission discussion is attached. Also, an overview of the project has been provided by the solar developer. Finally, regarding amendments to the Comprehensive Plan, per [Code of Virginia](#) Section 15.2-2229, the governing body shall act within 90 days of the local planning commission's recommendation. Prior to your consideration of the amendment at your June regular meeting, a public hearing must be held.

Staff Recommendation: Authorize staff to schedule and advertise a Public Hearing for Monday, June 21, 2021 at 7:00 pm to receive comments on the proposed Comprehensive Plan amendment.

Department: Board of Supervisors, Administration
Documents: [Swan Road Solar PC Summary.pdf](#), [VA DG Solar Presentation Localities - 490 Swan Rd.pdf](#)

COMMITTEE APPOINTMENTS

17. [21-1980](#) **Board of Zoning Appeals Appointment**

At the April 19, 2021 the Board tabled to the May meeting nomination recommendations to the Judge for an appointment to the Board of Zoning Appeal to fill the unexpired term of James Cheatham, ending June 30, 202.

STAFF RECOMMENDATION: Provide BZA nominations to the Judge for appointment to fill the unexpired term of James Cheatham.

Department: Board of Supervisors, Administration

18. [21-1981](#)

Library Board Appointment

At the April 19, 2021 meeting, the Board tabled to the May meeting an appointment to the Library Board to fill the unexpired term ending June 20, 2021 of Ms. Pamela Judy who passed away on March 28, 2021. Per an email from Diana Harvey, Library Director, she stated that Ms. Judy had expressed her recommendation for a replacement would be Sue Williams, who was the former Appomattox County Middle School Librarian.

STAFF RECOMMENDATION: Appointment of an individual to fill the unexpired Library Board term of Ms. Pamela Judy, ending June 30, 2021.

Department: Board of Supervisors, Administration

CONSENT AGENDA

The Consent Agenda includes approval of all Bills, Minutes, Supplemental Appropriations, Line Item Transfers, and Fund Transfers. Any item on the Consent Agenda shall be removed from the Consent Agenda at the request of any Board member prior to the vote on the Consent Agenda. Items removed from the Consent Agenda shall be considered by the Board individually in order in which they were removed from the Consent Agenda immediately following consideration of the Consent Agenda.

19. [21-1972](#)

Invoices Submitted for Payment

Please review the attached invoices and approve for payment:

May 5, 2021	\$30,779.02
May 14, 2021 - CSA	\$218,082.59
May 17, 2021	\$209,220.93
TOTAL:	\$458,082.54

STAFF RECOMMENDATION: Please review and consider approval of the attached invoices for payment.

Department: Board of Supervisors, Administration

Documents: [Invoices Submitted for Payment.pdf](#)

20. [21-1974](#)

Minutes

Please review the following DRAFT minutes for approval:

April 12, 2021 Special Called Joint Meeting with School Board

April 19, 2021 Regular Board of Supervisors Meeting

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- Department: Board of Supervisors, Administration
Documents: [Special Called Meeting-School Board Minutes April 12, 2021.pdf](#), [BOS Meeting Minutes April 19, 2021.pdf](#)
21. [21-1995](#) **Board of Supervisors - Operating Reserve**
Please supplement by consent and appropriate the following:
1101-5804 Operating Reserve **\$290.83**
RE: Reimbursement from Courtland Park Foundation for plaques.
STAFF RECOMMENDATION: No new local funds are required.
Department: Board of Supervisors, Administration
22. [21-1976](#) **County Administration**
Please supplement by consent and appropriate the following:
1201-5401 Office Supplies **\$10.99**
RE: Reimbursement from the Appomattox Railroad Festival for office supplies purchased.
STAFF RECOMMENDATION: No new local funds are required.
Department: Board of Supervisors, Administration
23. [21-1996](#) **General Properties**
Please supplement by consent and appropriate the following:
4302-3004 Repairs/Maintenance **\$13,038.35**
RE: Reimbursement from VACORP claims for property damages as a result from the 2-13-21 ice storm.
STAFF RECOMMENDATION: No new local funds are required.
Department: Board of Supervisors, Administration
24. [21-1975](#) **J. Robert Jamerson Memorial Library**
Please supplement by consent and appropriate the following:
7301-5411 Books \$206.99
7301-5401 Office Supplies \$385.50
7301-5415 Summer Reading \$100.00
TOTAL: \$692.49
STAFF RECOMMENDATION: No new local funds are required.
Department: Board of Supervisors, Administration
25. [21-1977](#) **Sheriff's Department - DARE**
Please supplement by consent and appropriate the following:
3106-5401 Office Supplies **\$19.00**
RE: Donation received from an anonymous donor for the DARE program.
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STAFF RECOMMENDATION: No new local funds are required.

Department: Board of Supervisors, Administration

26. [21-1979](#)

Department of Social Services

Please supplement by consent and appropriate the following:

5301-2002	VRS	11,019.71
5301-2006	Group Life	807.55
5301-2002	ICMA-RC	1,235.14
TOTAL:		\$13,062.40

RE: Reimbursement from DSS for April, 2021 payroll deductions.

STAFF RECOMMENDATION: No new local funds are required.

Department: Board of Supervisors, Administration

27. [21-1983](#)

Sheriff's Department

Please supplement by consent and appropriate the following:

3102-1002	Overtime	\$2,637.31
3102-5409	Police Supplies/Ammo	\$1,950.00
TOTAL:		\$4,587.31

RE: Reimbursement from the School Board for security coverage for High School/AMS Football games and Volleyball/Basketball games (\$2,637.31); Funds received from TNT Outfitters for the sale of de-commissioned patrol weapons that belonged to the Sheriff's Department (\$1,950.00).

STAFF RECOMMENDATION: No new local funds are required.

Department: Board of Supervisors, Administration

28. [21-1997](#)

Circuit Court Clerk

Please supplement by consent and appropriate the following:

2106-3002	Professional Services	\$13,555.50
2106-3010	Data Processing	\$7,760.00
TOTAL:		\$21,315.50

RE: Reimbursement from the State Library of Virginia Circuit Court Records Preservation Program Grant (CCRP) \$13,555.50; Reimbursement from State Technology Trust Funds for Supreme Court of Virginia Records Management and Case Imaging System Maintenance and Technical Services and Online Hosting beginning July 1, 2021 through June 30, 2022 (\$7,760.00).

STAFF RECOMMENDATION: No new local funds are required.

Department: Board of Supervisors, Administration

ITEMS REMOVED FROM CONSENT

ATTORNEY'S REPORT

29. [21-1987](#)

Attorney's Report

Mr. Lacheney, County Attorney will be discussing the following:

- 1- Litter Fine Ordinance - a possible fine to address the County-wide litter problem.
- 2- Proposed changes to the current Carver-Price Legacy Museum lease.
- 3- Taxation for Solar Farms (M&T versus Revenue Sharing)

Department: Board of Supervisors, Administration

**ADMINISTRATOR'S REPORT
REPORTS AND INFORMATIONAL ITEMS**

30. [21-2006](#)

School - Financial Report

Attached for your review is the April, 2021 month-end financial report from Dr. Bennett, Division Superintendent and Bruce McMillan, Director of Finance.

Department: Board of Supervisors, Administration

Documents: [School-April 2021 Financial Report.pdf](#)

31. [21-1984](#)

Lynchburg Humane Society - ACO Intakes

Attached for your review is the March and April, 2021 intake report from the Lynchburg Humane Society.

Department: Board of Supervisors, Administration

Documents: [ACO Intake - Lynchburg Humane Society.pdf](#)

32. [21-1993](#)

Carver-Price Legacy Museum - Flyer

Attached is a flyer from the Carver-Price Legacy Museum. They will be having a momentous and educational evening celebrating the recognition of the Carver-Price Legacy Museum by the Virginia General Assembly on Sunday, June 6, 2021 @ 2:00 p.m. at Liberty Baptist Church located at 1709 Church Street, Appomattox Virginia. Guest Speaker will be Dr. Edward Ayers and donations for the Carver-Price Legacy Museum will be greatly appreciated.

Department: Board of Supervisors, Administration

Documents: [Carver-Price Legacy Museum Flyer.pdf](#)

33. [21-1999](#)

Nutrient Bank of the James

Attached for the Board's review is a letter from the Department of Environmental Quality concerning Nutrient Bank of the James, LLC located approximately 1.5 miles east of the intersection of Richmond Highway and Village Highway on Thomas Farm Lane in Appomattox County.

Department: Board of Supervisors, Administration

Documents: [Nutrient Bank of the James.pdf](#)

SUPERVISOR CONCERNS

This time is for individual Board members to share information with other members of the Board and the public. Items presented under this heading requiring action will be for a future meeting agenda or to request additional information from staff members. No item presented under this heading shall be acted upon at this meeting without the unanimous consensus of the Board.

CLOSED SESSION

UPCOMING MEETINGS

Thursday, June 10, 2021 @ 6:00 PM

Joint Meeting with School Board
Appomattox County High School Cafeteria
198 Evergreen Avenue, Appomattox, Virginia

Monday, June 21, 2021 @ 6:30 PM

Regular Scheduled Meeting
Board of Supervisors Meeting Room
171 Price Lane, Appomattox, Virginia

ADJOURNMENT